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CIA Image Gains in B26 Case

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By ORR KELLY
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The Central Intelligence Agency, it has been said, has its failures blazoned in the headlines while its successes must be a closely guarded secret.

But one of the successes of the CIA as an information-gathering agency has been made public as the result of a court trial in Buffalo, N.Y., in which the hitherto secret CIA file on the case was declassified.

Ironically, it was a case in which a major claim of the defense was that the CIA was secretly masterminding the shipment of B26 bombers to Portugal, directly contrary to the announced policy of the U.S. government.

2 Documents Shown

Only two of the CIA documents on the case were entered into evidence—and they helped bolster the contention that the government at least knew about the plane-smuggling operation and deliberately looked the other way.

The complete file gives an entirely different picture—in which information gathered by the CIA from sources in Portugal and the United States enabled other government agencies to cut off the flow of planes across the Atlantic.

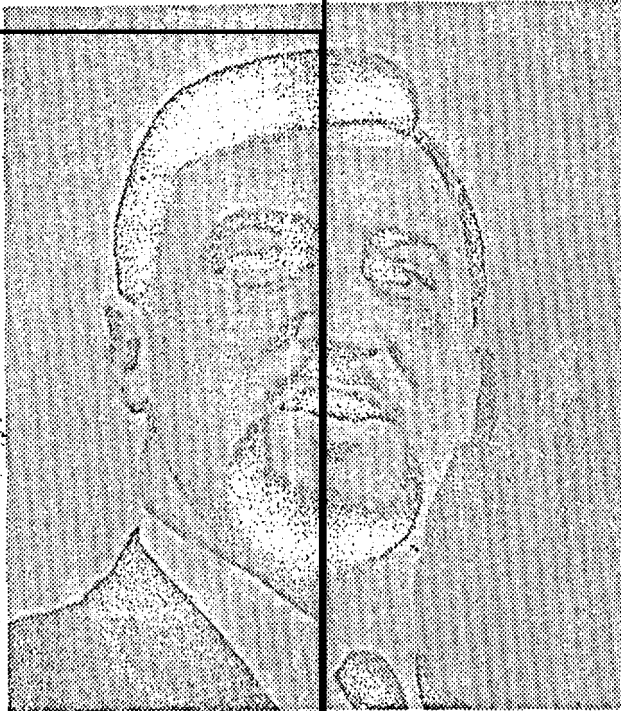
A CIA "intelligence information cable," widely distributed to other government agencies on June 10, 1965, gave the first information on the plan to ship 20 B26 bombers to Portugal.

The information, which was believed to be accurate as of May 25—four days before the first plane took off—was not acquired by a CIA source in Lisbon until June 9, the day before it was distributed here.

On June 23, the CIA's information on the case began to come into focus. It was on that date that a letter was sent from the office of the CIA's deputy director for plans to the office of the director of the Federal Bureau of Investigation.

A source in Rochester, N.Y., had given the CIA a report that a B26 bomber had stopped at Page Airways there for installation of long-range gasoline tanks.

He supplied the plane number, the name of the pilot, John R. Hawke, a garbled version of the name of Keat Griggers, the pilot-mechanic who was, with Hawke, and even a telephone number they called in Arizona during their stay.



John Richard Hawke—found not guilty.

Second Cable Sent

The phone number was the first indication that the planes might be coming from Arizona rather than Texas, as reported by the source in Lisbon.

A second "intelligence information cable" was distributed here on July 8, based on information as of July 1, acquired in Lisbon on July 7. It repeated the inaccurate information that the planes originated in Texas.

On July 13, a third "intelligence information cable" was sent out. It repeated the information contained in the earlier cables but added the significant fact that the source of the planes was the Hamilton Aircraft Co. in Tucson, the first detailed, accurate information on where the planes were coming from.

On July 15, Robert N. Margrave, director of the State Department's Office of Munitions Control, wrote to Lester D. Johnson, deputy commissioner for investigations of U.S. Customs, following up a phone call between officials in their offices earlier that day.

Margrave asked Johnson to "alert appropriate field offices to these reports and also request that they report soonest any evidence that such aircraft have been flown out of the U.S. in the past three or four months."

Agent Notified

The next day, Lawrence Fleishman, deputy commissioner of customs, wrote a letter marked "secret" to Charles E. Cameron, agent in charge of the customs office in Nogales, Ariz., enclosing a copy of the CIA cable with its reference to the Hamilton firm.

"While no violation by the firm was alleged at this time, appropriate attention to the matter through discreet inquiry is indicated," he wrote.

Cameron, who had never received a secret letter in the 10 months he had been at the U.S.-Mexican border station, was duly impressed.

From the testimony during the trial, it would appear that Cameron virtually ignored the letter for more than three weeks.

Actually, he has since said, he began immediately to carry out Fleishman's instructions. But he was hampered by the fact that his office is 67 miles from Tucson, by the fact that he was the only agent in his area cleared for "secret" information—and the warning that his investigation should be "dis-

cret."

Calls on Hamilton

Finally, in mid-August, he talked to a banker in Tucson who told him Gordon Hamilton, president of Hamilton Aircraft, would be happy to talk to him.

Cameron visited Hamilton on Aug. 20, learned that three of the men who later became defendants in the case were in Rochester, N.Y., and called the customs office there.

Two of the men—Hawke, the pilot, and Count Henri Marin de Montmarin, a French aircraft dealer—were arrested in Florida in mid-September.

But Gregory R. Board, an Australian-born U.S. citizen who allegedly masterminded the plane-smuggling operation, slipped out of the country before he could be arrested.

Late Thursday night, Hawke and De Montmarin were found not guilty after a month-long trial of one count of conspiracy and two counts of smuggling planes out of the country.

Members of the jury said they had reached their not-guilty verdict because they were not convinced that Hawke and De Montmarin had deliberately violated the law, and not because they had been impressed by the argument of CIA involvement in the operation.

CIA Praised

While there is some indication of bureaucratic fumbling along the way, it now appears that the government, far from looking the other way, acted with reasonable dispatch from the time of the first CIA cable to the arrests, a little over three months later.

Jerry E. Long, a State Department legal officer who was involved in the case from the time of the arrests and who acted as liaison between the State Department, the CIA and the U.S. attorney during the trial, remarked after the verdict:

"The files made public as a result of this trial show clearly that the CIA, far from being the villain of the case, actually was instrumental in ending an operation that could have been a serious embarrassment to the government in its foreign relations."

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